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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,032	07/22/2003	Xavier de Frutos	IR-2277 (2-3036)	9527
2352	7590	06/15/2004	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			WELLS, KENNETH B	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/625,032

Applicant(s)

DE FRUTOS ET AL.

Examiner

Kenneth B. Wells

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2816

1. Claims 8 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

These claims are misdescriptive, and thus indefinite, because the second diode (element D2 in Fig. 1) does not perform the function of preventing the charge pump from charging capacitor CBS.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB 2,180,422.

As to claims 1 and 6-10 note Figs. 6 and 7, where the recited "power semiconductor switching device" reads on FET 2; the recited "charge pump circuit" reads on circuit 30 in Fig. 6; the recited "bootstrap power supply" reads on the combination of the 12V supply voltage, diode 15 and bootstrap capacitor 5; and the recited "driver circuitry"

Art Unit: 2816

reads on the circuit elements between diode 15 and the gate G of FET 2. The operation recited on the last six lines of claim 1 is deemed to be inherent in the operation of the circuitry illustrated in Figs. 6 and 7 of the reference.

Not disclosed is the enable control input of the charge pump 30. Such would have been obvious, however, to those having ordinary skill in the art who know that charge pumps typically have enable inputs provided for setting the devices in on-off states (old and well-known in the art), for well-known benefits/advantages (of which fact official notice is taken by the examiner). Thus, claim 1 does not define patentably over GB 2,180,422.

As to claim 2, the recited "first diode" reads on diode 15.

As to claim 3, the recited "second diode" reads on diode 16.

As to claim 4, the use of a resistor in series with capacitor 5, though not disclosed, nevertheless would have been obvious as well because it is also old and well-known in the art to use a series resistor when charging a capacitor (for the well-known purpose of current limiting), and thus claim 4 also fails to distinguish patentably over GB 2,180,422.

Art Unit: 2816

As to claim 5, the load is element 4.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Note especially Fig. 3 of Xu which shows pump 40 and bootstrap capacitor 30, and Figs. 1, 8 and 9 of Wilcox which show charge pump 15 (having an enable input) and bootstrap capacitor 25.

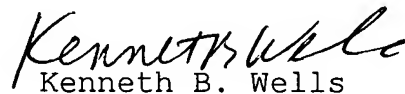
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or

Art Unit: 2816

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Kenneth B. Wells
Primary Examiner
Art Unit 2816

June 10, 2004